

**REMARKS**

**Interview Statement:**

Applicants appreciate the Examiner's courtesy in granting the interview of March 3, 2010 with the undersigned. A Response Under 37 C.F.R. § 1.111, together with a Declaration Under 37 C.F.R. § 1.132 of Mr. Ino were filed in the above-identified application on February 23, 2010.

The undersigned explained that the graph shown at page 2 of the Declaration shows that the peak due to the carboxyl end group is at roughly  $1810\text{--}1820\text{ cm}^{-1}$  different from the carbonyl bands of U.S. Patent No. 4,433,082 to Grot at  $1740\text{ cm}^{-1}$  not at a terminal of the fluoropolymer.

As to claim 9, the Examiner commented that the chain length of the polymer is unlimited such that the intensity ratio  $[x/y]$  can be within 0.05 in IR measurement even though the subject polymer could still have carboxyl end groups. The Examiner suggested amending claim 9 to tie the carboxyl group-due peak (x) to end groups. In addition to specifying that the carboxyl group-due peak [x] relates to the polymer end groups, the Examiner further suggested amending claim 9 to tie the intensity ratio  $[x/y]$  to the structure of the polymer.

The Examiner did not suggest any amendment to claim 10 at this time.

The Examiner asked Applicants to cancel claim 14 directed to a stabilized fluoropolymer obtained by the method of claim 1 (which is withdrawn). However, the Examiner would consider rejoinder of method claims amended to include all of the limitations of an allowable product claim.

The Examiner would like to separate carboxyl end groups from random carbonyl groups that might be present in the polymer chain. In this regard, the Examiner asks (i) whether the fluoropolymer of claim 9 made of polymerizing the monomer of formula (II) can have a carbonyl group within the main chain (for example, when A represents  $\text{-COZ}$ ). If so, (ii) the

Examiner asks the wavenumber of such carbonyl group and whether it is different from the wavenumber of the carboxyl end group.

Although agreement was not reached, Applicants appreciate that the interview focused on issues requiring clarification and in this manner prosecution has been advanced.

**Claim Amendments and Follow-Up to Interview of March 3, 2010:**

In response to the Examiner's suggestion to amend claim 9 to tie the carboxyl group-due peak [x] to end groups and to tie the intensity ratio [x/y] to the structure of the polymer, claim 9 has been amended to recite that the stabilized fluoropolymer shows an intensity ratio [x/y] between main chain terminal carboxyl group-due peak [x] and -CF<sub>2</sub>- due peak [y] of not higher than 0.05 in IR measurement. Support is found at page 20, lines 14-27 of the specification. Claim 11 depending from claim 10 was similarly amended to clarify the relationship between the intensity ratio and the main chain terminal carboxyl group-due peak.

Claims 9 and 10 also have been amended to recite that the stabilized fluoropolymer has a melt index of 0.1-20 g/10 minutes as measured under the conditions of 270°C and a load of 2.16 kg according to JIS K 7210. Support is found, for example, by reference to claim 15 as originally filed.

In response to the Examiner's inquiry, -COZ includes several species, and it is difficult to show the wavenumbers for -COZs. Instead, claims 9 and 10 have been amended to delete -COZ, such that A represents -SO<sub>2</sub>X. Withdrawn method claim 1 has been amended to include all of the limitations of amended product claim 9. If claim 9 is found to be allowable, Applicants respectfully request rejoinder of withdrawn method claims 1-8 pursuant to MPEP § 821.04. Claims 2 and 6 have been amended to conform to amended claim 1.

In accordance with the Examiner's suggestion, claim 14 has been canceled. Claim 15 (as incorporated into independent claims 9 and 10), as well as withdrawn claims 16-22 have been canceled. Applicants reserve the right to file a Divisional or Continuation Application directed to the canceled subject matter.

Claims 9 and 12-14 stand rejected under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent 6,150,426 to Curtin et al. Claims 10 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Curtin et al in view of U.S. Patent 3,085,083 to Schreyer. Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Curtin et al in view of WO 02/096983 A1.

Withdrawal of the foregoing rejections in view of the Response and Declaration Under 37 C.F.R. § 1.132 filed February 23, 2010, as well as the further Remarks and claim amendments made herein. Withdrawal of all rejections, rejoinder of method claims 1-8 and allowance of claims 1-13 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Abraham J. Rosner  
Registration No. 33,276

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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